

### III. Agriculture and Open Space

---

Agriculture has been an important part of life in the South Valley for over 300 years, profoundly influencing the local culture, economy, and rural character of the Isleta corridor. Agriculture's importance to Bernalillo County cannot be overstated, and its production capacity and cultural significance to the South Valley is invaluable.

Agriculture has been in decline in the South Valley for at least a generation, due to a number of factors: growth of large-scale agribusiness at the expense of family farming, population growth in the region, and declining profits for traditional farmers. New residential development offers current farmers and those holding onto fallow agricultural land the lure of high prices for their land. With every newly developed subdivision, pressure grows upon other landowners to sell, and the critical mass of farm activity needed to sustain an agricultural economy and culture diminishes. If agriculture is to remain an important part of the South Valley's future, the issues threatening farmers and the land they farm must be addressed without delay.

The preservation of agricultural land (including fallow land that could be used for farming but is sitting vacant) along Isleta Boulevard and within the greater South Valley area will need a comprehensive approach in order to be successful. This includes tackling social policy issues and potentially establishing new institutions such as a land trust, as well as revising current zoning policy. Unfortunately, many of these needed reforms are beyond the capacity of this sector plan to directly bring about. Important policy issues that were articulated by the community have been included in this sector plan for general discussion, including conservation easements, Greenbelt policy, steps to support agricultural production, and acequia preservation.

While it's important for work to begin on these longer-term steps to maintain agriculture and open space in the South Valley, as described further below, this sector plan focuses in the near term on zoning changes to preserve the traditional semi-rural character along Isleta Boulevard. Accordingly, this plan introduces a new zone called the Isleta Boulevard Agricultural Zone (A-Z) that responds to some of the issues community members articulated regarding the current A-1 zoning.



Raising sheep at the Hubbell House, 1916  
*Source: Geri Knoebel*



This 1930s snapshot of the Rio Bravo/Coors area near the Isleta corridor shows the predominance of agriculture in the past  
*Source: Daniel Bracken*



Current farmland and open viewsheds along the Isleta corridor  
*Source: Geri Knoebel*

## A. ISLETA BOULEVARD AGRICULTURAL ZONE (A-Z)

*The complete language of the Isleta Boulevard Agricultural Zone can be found in Chapter 8, Section 6 of this Sector Plan.*

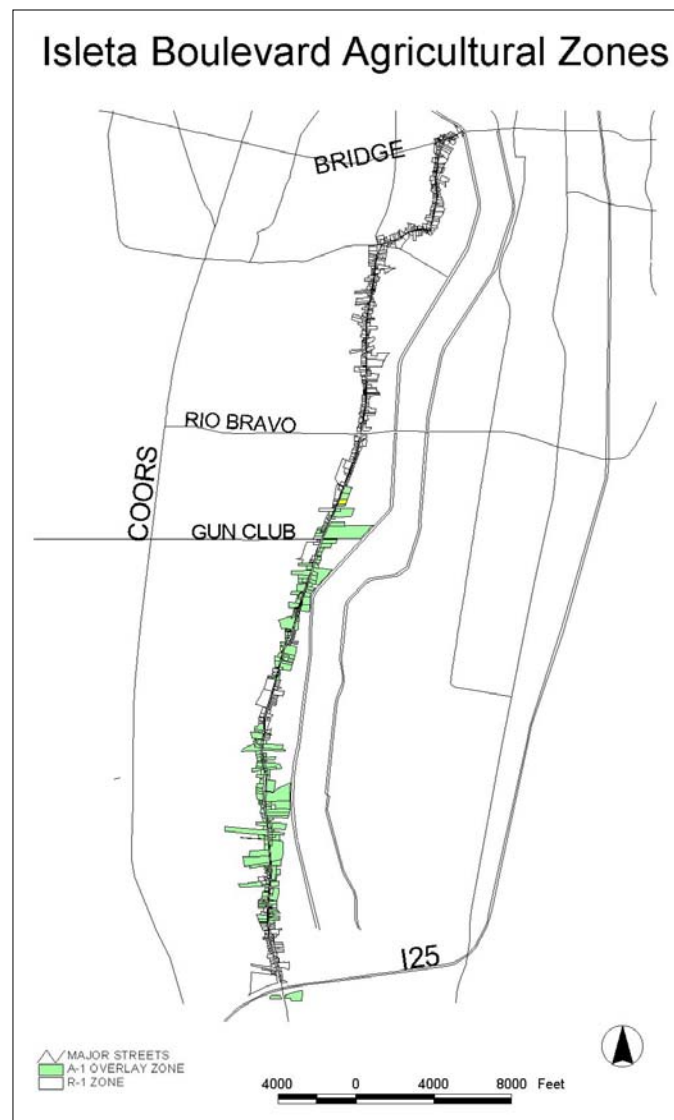
Residents' frustrations with the current A-1 Rural Agricultural Zone arise from its ineffectiveness as a true agricultural zone and the piecemeal development it is responsible for throughout the plan area at the expense of farmland, rural character, and open viewsheds. Many times, development on land zoned A-1 does not represent agricultural use and does not embody the values of the rural South Valley. Today, a need exists to help protect the remaining agricultural parcels zoned A-1 before the rural character of Isleta Boulevard is completely lost.

In order to define more thoroughly the land use design and performance criteria of those parcels currently zoned A-1 this plan has developed the Isleta Boulevard Agricultural Zone (A-Z). This zone and the regulations within it will replace the current A-1 Zone within the sector plan boundaries. The purpose of the Isleta Boulevard Agricultural Zone is to:

- Eliminate the encroachment of land uses which are incompatible with the long-term agricultural use of land along the Isleta corridor.
- Ensure the preservation of agricultural lands and producers of agricultural products, so as to preserve an important physical, social, cultural, aesthetic and economic asset of the residents of the County.
- Preserve the maximum amount of the limited supply of agricultural land in order to conserve the County's economic resources with regard to infrastructure.

The zoning strategies that will be utilized in order to meet these goals include:

- Policy for setback, acequias, and other small features
- Cluster development



## Isleta Boulevard Agricultural Zone Policy

The Isleta Boulevard Agricultural Zone Policy is designed to regulate standards of development in current A-1 zoned parcels in order to enhance and maintain the traditional character of the South Valley. Features

such as setbacks, road design and acequias are all integral components of what makes up the rural character of the South Valley and are important in maintaining open space for potential agricultural production. These policies include:

<b>Isleta Boulevard Agricultural Zone (A-Z)</b>	
<b>Setback</b>	<p>-100' minimum front setback from Isleta Blvd and arterial roads to protect rural viewsheds  <u>Or</u>  - Agricultural-related uses may be located within the front 100' of the lot given that they are directly contributing to agricultural production on the site  <u>Or</u>  - Smaller setback can be used if lot does not allow for 100' minimum setback, as approved by Zoning Administrator  <u>And</u>  20' maximum setback from local access roads to encourage cluster development  <u>And</u>  10' side and 25' minimum rear setback required for buildings in A-Z Overlay  <u>Or</u>  Zero lot line construction allowed for town houses and single-family detached subdivisions</p>
<b>Access</b>	New lots shall utilize existing driveway/access roads where possible, with appropriate easements granted to newly created lots, or shall utilize a single new common driveway/access road if no such facility exists
<b>Road Design</b>	<p>Access roads (driveways) shall be no more than 20' in width  <u>And</u>  Roads in subdivision shall be no more than 26' in width  <u>And</u>  Road surfacing with permeable material (gravel or permeable paving) is strongly encouraged</p>
<b>Viewshed Preservation</b>	<p>Landowners shall keep subdivided agricultural land clear of new fencing, hedges, outbuildings, or other view obstructions within 100' of existing arterial or collector streets  <u>And</u>  Shall maintain the open character of the existing landscape</p>
<b>Acequia Preservation</b>	<p>Landowners shall preserve and maintain all existing acequias and other agricultural drainage facilities.  <u>And</u>  All structures and walls shall be set back at least 20' from acequias and related facilities  <u>And</u>  Trail easements shall be created or preserved along existing acequias and other drainage facilities</p>
<b>'No Net Expense'</b>	Subdivisions in non-programmed areas where sewer, water and roads do not exist shall not be approved unless they can demonstrate that they pose "no net" expense

	to the local government with respect to existing public works, educations and transportation infrastructure, as well as basic health, safety and general welfare services
Existing Subdivisions	Cluster development is encouraged on previously platted subdivisions if development has not been completed and existing property owners agree to the cluster design

### Cluster development in the Isleta Boulevard Agricultural Zone



Within cluster development, buildings are grouped together in order to preserve the maximum amount of land for agriculture and/or open space. This allows for the protection of continuous open space lands that have the potential for agriculture production and that maintain traditional viewsheds across the valley. Also, with proper incentives in place, cluster development allows the developer to maximize profits by increasing allowable density, and gives developers greater flexibility to offer a variety of lot sizes and unit types.

The table below provides policies for cluster development in the A-Z zone and includes incentives for developing residential subdivisions in this manner. Cluster Development will be required for all new subdivisions within this zone on lots of at least 3 acres.

Isleta Boulevard Agricultural Zone Cluster Development Policy						
Clustering	<p>Lots of three acres or more subdivided after the adoption of this ordinance shall be clustered with a minimum parcel size of 2,500 sq/ft and a maximum of 21,300 sq/ft  <u>And</u>            Lots shall be contiguous with one another unless the natural environment dictates developing a small number of separate clusters instead, as approved by the Zoning Administrator  <u>And</u>            A mixture of lot sizes and housing types is strongly encouraged  <u>And</u>            Development plan shall take advantage of the natural topography  <u>And</u>            Driveways and garages shall be located on the sides of houses away from public roads  <u>And</u>            Cluster design shall minimize paved surfaces in order to promote groundwater recharge and preserve existing landscape and character</p>					
Large Subdivisions	<p>Subdivisions of more than 20 lots shall seek to create a compact neighborhood form with streets in a grid-like pattern  <u>And</u>            Shall include a second access road connecting to existing county streets</p>					
Open Space	<p>A minimum of 50% of A-1 parcels being subdivided shall be preserved in perpetuity as open space and land protection by one of the following mechanisms:            - Conservation easements recorded in the deed            - Agreement of the County or land trust to assume ownership and maintenance            - Dedication to a homeowners association to maintain land and open space  <u>And</u>            In cases where ownership of open space is not conveyed to the County, landowners shall be responsible for maintenance of the land so as to protect public health and safety and maintain a traditional semi-rural character  <u>And</u>            Open space shall be planned as large contiguous areas where possible. If open space is provided in more than one parcel, these shall be linked by open space corridors at least 10' wide that can serve as potential wildlife corridors or recreational trails</p>					
Recreational Trails	<p>In cases where open space within subdivisions might substantially add to public trail networks or recreational amenities, landowners shall grant trail easements to the appropriate public authority as part of the open space requirement</p>					
Open Space Requirements	Open Space Dedication	Unit Increase	Sample acre Subdivision	Increase for 10-	Approximate Average Lot Size	



<b>and Incentives</b>	50 percent	10%	1 additional unit	19,200 square feet
	60 percent	20%	2 additional units	13,950 square feet
	70 percent	30%	3 additional units	9,630 square feet
	80 percent	40%	4 additional units	5,940 square feet
	90 percent	50%	5 additional units	2,700 square feet

## B. CONSERVATION EASEMENTS

Without available land, farming would be impossible. With the encroachment of urbanization, prime agricultural land in the South Valley is continuously being paved over and lost forever. For the Isleta corridor, a future without any available open space land could be a reality if measures to protect this land are not taken soon.

Conservation easements are an innovative approach to the preservation of agricultural land along Isleta and throughout the entire South Valley. Besides being extremely effective, conservation easements are easy, practical, and are the single best way to preserve agriculture in the South Valley. Although outside the scope of this sector plan, conservation easements were a major topic of discussion in community meetings, and therefore information about how they could work for the Isleta corridor is included here for information purposes.

### Donated Conservation Easements

A conservation easement is a voluntary agreement that allows a landowner to limit the type or amount of development on their property while retaining private ownership of the land. The easement is signed by the landowner, who is the easement donor, and a qualified conservation organization, which is the party receiving the easement. The conservation organization accepts the easement with the understanding that it must enforce the terms of the easement in perpetuity. In New Mexico, unlike in other states, the state and local governments are not authorized by statute to hold conservation easements. However, they may be held by qualified private associations. Provided that certain conditions are met, donors of easements may be eligible for income, estate, and/or property tax benefits. One condition is that there must be an established, recognizable public benefit, such as protecting rare species and water supplies, providing fresh produce, or preserving scenic vistas visible from roads. Public access is not a requirement.



Agricultural land along the Isleta corridor  
*Source: RCRP*

A Conservation Easement allows the landowner the ability to:

- Keep the ranch or farm in the family and maintain agricultural production
- Preserve the land for future generations
- Take stewardship of the natural resources on their land
- Preserve open space and the community's agricultural heritage
- Reduce estate taxes and the Internal Revenue Service's influence over the land

- Receive an income tax deduction equal to the appraised value of the development rights

### Options for the Isleta corridor

A conservation easement program can be started in a number of ways. The following are possibilities for how a local conservation easement program could begin. *(Note that a conservation easement program is outside the scope of the sector plan and should be pursued by local residents and/or organizations.)*

- Develop a South Valley Land Trust to hold the easement
- Identify existing Trusts both locally and nationally to hold the easement
- Promote a Countywide Conservation Easement educational initiative



Evidence of farming along Isleta Boulevard adds to the corridor's uniqueness and sense of place

Source: RCRP

The county government could collaborate with private individuals and organizations to establish land trusts and a conservation easement program. County assistance might take the form of technical assistance from staff, loan funds, or grant funds, such as through an open space bond measure.

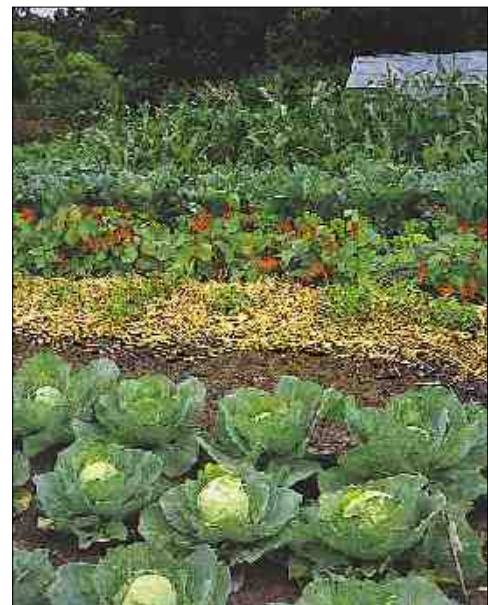
### C. GREENBELT POLICY

The purpose of the New Mexico Greenbelt Tax Policy is to preserve agriculture through a tax incentive. However, many Greenbelt recipients own land that is not being actively farmed; it is merely being held for development purposes. On the other hand, smaller parcels that do intensive small-scale farming (such as organic produce on small lots) are unable to receive the tax incentive to support their farming because their land is not large enough to qualify.

The Greenbelt Tax policy should be revised so that it operates as a true incentive for agriculture, as it was intended. The tax break should not be abused for land speculation purposes and should include smaller-scale farming in its scope. Changes in Greenbelt Policy must be made at the state level – not at the sector planning level.

The following recommendations could be taken to a State Representative or Senator willing to sponsor legislation amending the Greenbelt Tax:

- Define 'agriculture' more specifically. The current Greenbelt Tax defines agricultural use as a "means of land for production of plants, crops, trees, forest products, orchard crops, livestock, poultry, or fish." In addition, the policy also references that there



Intensive backyard gardens like this one can often be more profitable than traditional large-lot farming

must be “evidence of primarily agricultural use.” However, anecdotal evidence in addition to an examination of recipients of Greenbelt Tax breaks shows that many landowners are not using their land for primarily agricultural uses or, since the land is sitting fallow waiting to be developed, are claiming grazing of a few horses as constituting “primarily agricultural” use.



Value-based measurements might better enable backyard farmers of organic produce to receive the Greenbelt tax break

- Use value-based measurements to determine Greenbelt eligibility, not land measurements. The current Greenbelt Tax is “based on the capacity of land to produce agricultural products.” This means that large parcels are rewarded and small parcels often don’t qualify. The upper Isleta corridor in particular shows good potential for backyard intensive farming that can be quite profitable (growing organic produce, for example). But unless the policy is changed, these backyard farmers (who can often bring in more profit than 10 acre plots of alfalfa) will continue to be shut out of the incentive. Instead of land-based measurements, the Greenbelt Tax should use Value-Based Measurements to determine eligibility, or there could be a lot-by-lot determination if production values should be used instead of land values, based on what is being grown.
- Enforce a payback period of 5 years for Greenbelt land that is developed. Landowners who receive the Greenbelt Tax break and then develop their land should have to pay back a portion of the tax breaks they received to keep the land agricultural. When a parcel of Greenbelt land is developed, landowners should have to pay back benefits received over a certain number of years (five, for instance) by claiming Greenbelt status. This would act as a disincentive to develop agricultural land and a true incentive to continue farming.

#### D. SUPPORTING AGRICULTURAL PRODUCTION

A lack of consumer support for local farmers and their crops has helped contribute to the overall decline of agricultural production in the plan area. Yet signs point toward rising consumer demand for locally-grown food, including an increase in business at Albuquerque-area farmers’ markets, a strong demand for locally-grown organic produce, and the new commercial kitchen at the small business incubator on Isleta Boulevard.

Given these factors, this is an ideal time to capitalize on rising consumer interest in local farming. The sector plan recommends that a comprehensive South Valley strategy be developed to help promote local agriculture. Options for supporting agricultural production in the South Valley include:

- Developing a South Valley agricultural economic development plan
- Promoting agricultural education in South Valley schools





- Developing a farmer support fund to help farmers with the costs of organic certification
- Developing a “Buy Local” campaign that markets locally-grown produce to grocery stores, restaurants, and directly to consumers
- Pursuing relationships with Albuquerque Public Schools and local correctional facilities to provide fresh produce
- Promoting diversification of agriculture throughout the South Valley. While traditional crops like alfalfa are ideal in large parcels, high-yield organic produce can do very well on small parcels.
- Promoting temporary and permanent fruit and vegetable stands throughout the South Valley
- Partnering local farmers with the South Valley Economic Development Center to use their commercial kitchen for value-added production

## E. ACEQUIA PRESERVATION

Water is one of the most urgent issues facing New Mexico and South Valley agriculture. Complex problems of supply and demand, ownership of water, and water quality are intrinsically inter-related, caught in a web of local, state and federal policy. As such, supply of water to agricultural lands within the project boundary has been an issue because of “first right” to water and the abandonment of private acequias.

Because of these issues, it is important to preserve existing Middle Rio Grande Conservancy District facilities and other networks of irrigation and drainage facilities to the greatest degree possible and to encourage continued irrigation use. However, changes in much of New Mexico Water Policy must be made at the state and federal level – not at the sector planning level.

### Policy Options

- Bernalillo County should establish and enforce an official Acequia Preservation Policy.
- A State of New Mexico-recognized Acequia Association should be established. Community ditch and acequia associations have been declared political subdivisions of the state (NM 73- 2-28) and as such, are self-governing.
- Inventory and declare Priority Ditches for historic easement conservation. The NM Cultural Properties Preservation Easement Act (NMSA 1978, Sections 47-12A-2 to 47-12A-6) defines a cultural properties preservation easement, as “preserving the historical, architectural, archaeological or cultural significance of real property.”



Acequias are a vital natural and cultural resource to the Isleta corridor community

*Source: RCRP*